

Before the Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
Petition for Declaratory Ruling to Clarify)	
Provisions of Section 332(c)(7)(b) to Ensure)	MB Docket No. 08-165
Timely Siting Review and to Preempt under)	
Section 253 State and Local Ordinances that)	
Classify All Wireless Siting Proposals as)	
Requiring a Variance)	

Reply Comments by Barbara Alterman, Palm Beach County Planning, Zoning and Building Department to Comments by T-Mobile USA, Inc. and Comments of the FCC Intergovernmental Advisory Committee

Chairman Martin:

Palm Beach County is mentioned as an example of creating an unreasonable delay in permitting in the comments of T-Mobile USA, Inc. It is specifically stated in T-Mobile comments that the Palm Beach County pre-application process takes several months before it is concluded before an application is deemed submitted for purposes of the actual review process.

No specific application(s) were identified in the T-Mobile comments. A review of T-Mobile applications for the past two years demonstrates that the larger majority of applications were processed as administrative amendments which are processed within less than a month.

Applications that require DRO or public hearing review may go through a pre-application process, however, that is simply an agent getting preliminary input from county agencies. There is no timeframe for this. What the comments are probably referring to is the formal submittal and sufficiency process.

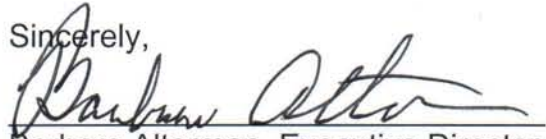
Once an application is submitted, it is not certified to begin the actual review process until it meets all the basic code requirements and is deemed sufficient. It is up to the applicant to provide the missing information. The timeliness of the submittal and

completeness on the part of the applicant will determine how quickly the application is certified. The delay is not necessarily caused by Palm Beach County, but by the applicant themselves.

It would be inappropriate given local zoning procedures and notification requirements to impose any time limitations on approvals, particularly when an applicant could delay the processing themselves.

Palm Beach County also joins in the comment letter from Haley Barbour, Chairman of the FCC Intergovernmental Advisory Committee.

Sincerely,

A handwritten signature in dark ink, appearing to read "Barbara Alterman", written over a horizontal line.

Barbara Alterman, Executive Director
Planning, Zoning & Building Department
2300 N. Jog Road
West Palm Beach, FL 33411-2741